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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/609,325

06/30/2000

LIVIA POLANYI

106142

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03/29/2004

OLIFF & BERRIDGE, PLC
P.O. BOX 19928
ALEXANDRIA, VA 22320

EXAMINER

EDOUARD, PATRICK NESTOR

ART UNIT

PAPER NUMBER

2654

DATE MAILED: 03/29/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/609,325

Applicant(s)

POLANYI ET AL.

Examiner

Patrick N. Edouard

Art Unit

2654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

1. This Office Action is in response to communication filed 12/15/03 (paper 9). Claims 1-24 and new claims 25-26 are pending.

Response to Arguments

2. Applicant's arguments with respect to claims 1-14 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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Claims 25-26 are rejected under 35 U.S.C. 102(e) as being anticipated by Cortson et al (6,112,168).

As per claims 25 and 26, Cortson et al teach a method for teaching expository writing comprising

“segmenting a text into at least one text building units based on the linguistic Discourse Model theory of discourse”(col. 1, lines 25-30); and

“analyzing each text building unit according to the Linguistic Discourse Model theory of discourse”(col. 1, lines 42-52).

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Polanyi (the linguistic discourse model: Towards a formal theory of discourse structure).

Polnyi teaches a method for teaching expository writing comprising

“segmenting a text into at least one text building units based on the linguistic Discourse Model theory of discourse” (section 3, the discourse constituent unit: building block of discourse , pages 15-28);

“analyzing each text building unit according to the Linguistic Discourse Model theory of discourse”(section 3.1, the elements units of linguistic structure : the clause and the discourse operator, pages 16-20).

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Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-13, 16-18, 20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortson et al (6,112,168).

As per claim 1, Cortson et al teach , Cortson et al teach a method for teaching expository writing comprising"

"segmenting a text into at least one text building units based on the linguistic Discourse Model theory of discourse"(col. 1, lines 25-30); and

"analyzing each text building unit according to the Linguistic Discourse Model theory of discourse"(col. 1, lines 42-52).

It is noted that Cortson et al teach the claimed invention but do not explicitly teach: selecting a theory of discourse. However, this feature is well known in the art. Therefore, one having ordinary skill in the art at the time the invention was made would have found it obvious to incorporate into Cortson's system a menu for selecting the discourse theory because it would provide a more friendly user system where user can have the text analysed according to their need.

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As per claim 2, Cortson et al teach one text building unit are combined into a structural representation... (Col. 1, lines 25-31).

As per claims 3, Corstson et al teach the selected theory of discourse analysis is selected form the list consisting of discourse structure theory 9 col. 1, lines 20-24 and col. 4, lines 56-62).

As per claims 8-9, Cortson et al teach generating a summary of text based on the selected theory of discourse"; and determining coverage of user designated important concepts (col. 4, lines 22-26 and 61-64).

As per claims 12-13, Cortson et al teach segmenting is performed automatically; and the analysis is performed automatically (col. 4, lines 17-19, 27-29, and col. 7, lines 9-41).

Claims 4-6, 10-11, 16-18, 20 and 22-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortson in view of Takeshita et al (5,642,520).

It is noted that Cortson et al teach the claimed invention but does not explicitly teach displaying the segmented text. However, this feature is well known in the art as evidenced by Takeshita et who teach an apparatus for recognizing topic structure of language data disclose a display at col. 6, lines 45-46 and in figure 2, item 215 for indicating the result of the process. Therefore, one having ordinary skill in the art a the time the invention was made would have it obvious incorporate into Cortson's system a display as taught by Takeshita et al because it would provide a fast look up access of the result.

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5. Claims 14-15, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cortson et al in view of Takeshita et al (5,642,520) and Barzilay et al (Using Lexical Chains for text summarization).

It is noted that the combination teaches the claimed invention but does not explicitly teach wherein summary generation comprises the steps of" identifying the root node; recursively selecting each remaining child node; ... assigning to the subordinated node, the rank of the parent incremented by 1. However, these features are well known in the art as evidenced by Barsilay et al who teach a text summarization using a chain that comprises all possible alternatives of word senses and then choose the best one among them on pages 4, figures 1-4. Therefore, one having ordinary skill in the art at the time the invention was made would have found it obvious to summarize the result text as taught by Barsilay et al because it would provide method of disambiguating the text and therefore would provide an accurate summary of the text.

6. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231 or faxed to:

(703) 308-9051, (for formal communications intended for entry) Or

(703) 305-9508 (for informal or draft communications, please label "PROPOSED"

or "DRAFT")

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Hand-delivered responses should be brought to Crystal Park 11, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick N. Edouard whose telephone number is (703) 308-6725. The examiner can normally be reached on Tuesday-Friday from 07:30 a.m.- 6:00 p.m.

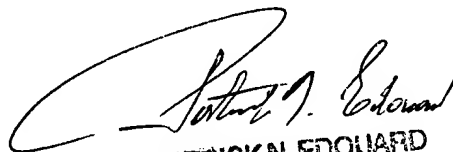
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil, can be reached on (703) 305-9645.

The facsimile phone number for this Art Unit is (703) 305-9508. Alternatively, facsimile messages may be sent directly to (703) 305-9644 where they will be stored in the examiner's voice mailbox (telling the examiner that a fax was received) and be automatically printed (i.e. - no delay by the examiner).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Patrick N. Edouard

March 18, 2004



PATRICK N. EDOUARD
PATENT EXAMINER